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Measures to eliminate international terrorism

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Identical letters dated 29 December 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

In his letter dated 3 December 2015 addressed to the President of the Security Council (S/2015/928), the Permanent Representative of the United Kingdom on the Security Council states that, in accordance with Article 51 of the Charter of the United Nations and further to Security Council resolution 2249 (2015), his country is taking necessary and proportionate measures against Islamic State in Iraq and the Levant (ISIL), also known as Daesh. The Permanent Mission of the Syrian Arab Republic wishes to respond by making the following points:

1. The Syrian Arab Republic is the primary victim of the terrorists, who have international support. The terrorists have turned on Syria with all of the means at their disposal, taking a heavy toll on State institutions and infrastructure and on Syrian civilians and soldiers.

2. The Syrian State and its competent institutions and agencies have continued to fulfil their constitutional responsibilities in accordance with international law, the provisions of the Charter and resolutions of the Security Council concerning the fight against terrorism and, in particular, ISIL, the Nusrah Front and other armed organizations, groups, entities and individuals associated with Al-Qaida that are active on the territory of the Syrian Arab Republic. It is determined to eliminate terrorism. Accordingly, it has repeatedly stated that it is prepared to cooperate with any bilateral or multilateral endeavour to achieve that goal. The Syrian-Russian counter-terrorism cooperation, of which we notified the Security Council in our identical letters dated 14 October 2015 (A/70/429-S/2015/789), belongs in that context and should be the starting point for a genuine international coalition to combat the terrorist threat to the region and the world.

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3. For many years, permanent members of the Security Council, including the United Kingdom, thwarted any attempt to condemn the terrorist acts that have taken place in my country. They also prevented the United Nations and its competent agencies from playing any effective part in prevailing on State sponsors of terrorism to desist from recruiting, training, funding, arming and deploying foreign terrorist fighters and mercenaries to Syria, and from entering into any direct or indirect commercial transactions in partnership with terrorist organizations. Indeed, those permanent members turned a blind eye while State sponsors of terrorism systematically violated international counter-terrorism instruments, particularly Security Council resolutions 2170 (2014), 2178 (2014) and 2199 (2015). The Permanent Representative of the United Kingdom claims that his country's military action in Syria is intended to combat terrorism; but such conduct clearly undermines that assertion.

4. As we explained in our identical letters dated 17 September 2015 (S/2015/719), any attempt to invoke Article 51 of the Charter to justify military action on Syrian territory without coordination with the Syrian Government manipulates, distorts and misinterprets the provisions of that Article. The international community recognizes that the exercise of legitimate defence is subject to conditions that were put in place in order to uphold international law and the principles of sovereignty and non-interference, and to prevent the threat or use of force. Among the conditions required by Article 51 are that there should be an ongoing and effective act of aggression on the part of an armed force against a Member State, that the response should be temporary, and that it should respect the authority and responsibility of the Security Council. The military actions taken by Britain and other States in Syria do not meet those conditions. As a result, they belong outside the scope of international law, absent full cooperation and prior coordination with the Syrian State and its legitimate institutions as is the case with the Syrian and Russian Governments.

5. Britain and other States have spoken of intervening against terrorist organizations in Syria at the request of a Government other than that of the Syrian Arab Republic. That idea is a grave violation of international law and sets a dangerous precedent for international relations, one that could undermine the foundations of international law and the provisions of the Charter, which the United Nations is required to preserve and uphold. Such a precedent leaves the door wide open for certain States to further their own interests and agendas at the expense of the sovereignty, territorial integrity and political independence of Member States of the United Nations.

6. The Permanent Representative of the United Kingdom also attempts to invoke Security Council resolution 2249 (2015) in a frantic attempt to find an excuse for Britain's conduct, which is contrary to international law. Security Council resolution 2249 (2015) stresses respect for the sovereignty, territorial integrity and political independence of all States under the Charter. It was not adopted under Chapter VII of the Charter, and does not empower or request Member States to use military force. Rather, it merely calls for measures in compliance with the Charter and international law, both of which uphold the sovereignty and equality of States and prohibit the threat or use of force. Could it be that the representative of a State that has held a permanent seat on the Security Council for seven decades is unaware of those facts?

7. As we explained in our identical letters of 8 September 2015 (S/2015/690), the fight against terrorism, as represented by such terrorist organizations such as ISIL, the Nusrah Front, Boko Haram, Al-Shabaab, the East Turkestan Movement and Emarat Kavkaz, requires a comprehensive approach based on international law and the Charter of the United Nations, one that eschews politicization, manipulation and double standards. It also requires the Governments of certain Member States, including the British Government, to refrain from supporting terrorism; fuelling violent extremism; providing safe haven to terrorist operatives and leaders; and politicizing or exploiting counter-terrorism and human rights issues to promote their own agendas and rapacity.

I should be grateful if you would have the present letter issued as a document of the seventieth session of the General Assembly, under agenda item 108, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative